

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE BED BATH & BEYOND INC. SECTION  
16(b) LITIGATION

Case No. 1:22-cv-9327-PGG

**RC VENTURES LLC AND RYAN COHEN'S NOTICE OF OMNIBUS MOTION TO  
DISMISS THE COMPLAINTS**

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Clifford Thau, sworn to on March 3, 2023, and the exhibits attached thereto, and the accompanying Memorandum of Law in Support of this Motion, Defendants RC Ventures LLC and Ryan Cohen, by their attorneys, Vinson & Elkins LLP, respectfully move this Court, before the Honorable Paul G. Gardephe, United States District Judge, United States District Court, Southern District of New York, 40 Foley Square, Courtroom 705, City of New York, at a date and time to be set by the Court, for an order dismissing Plaintiff Todd Augenbaum's Complaint and Plaintiff Judith Cohen's Amended Complaint with prejudice pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim upon which relief can be granted.

Dated: March 3, 2023

VINSON & ELKINS LLP

By: /s/ Clifford Thau  
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